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EXAMINER	
TSUI, WILSON W	
ART UNIT	PAPER NUMBER
2178	
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05/14/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/810,376	TOYAMA ET AL.	
	Examiner	Art Unit	
	WILSON TSUI	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 April 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23 and 25-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23 and 25-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the RCE filed on: 04/04/08.

2. Claims 1-23, and 25-38 are pending. Claim 24 is cancelled. Claims 1, 13, 37, and 38 are independent claims.

3. The information disclosure statement 4/19/2004 still fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because Entries A12, and A13 fail to provide a date.

4. Claims 1-9, 11-18, 21, 22, 34, and 37 remain rejected under 35 U.S.C. 102(a) as being anticipated by Spinellis. Claims 10, 23, 27-29, and 31 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Spinellis and Rothmuller. Claims 19, 25-26, and 35 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Spinellis and DeLorme et al. Claims 20 and 32 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Spinellis and Holbrook. Claim 30 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Spinellis and Rothmuller et al, in further view of Te et al. Claim 33 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Spinellis.

Information Disclosure Statement

5. The information disclosure statement filed 4/19/2004 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because Entries A12, and A13 fail to provide a date. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of

any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-9, 11-18, 21, 22, 34, 37, remain rejected, and claim 38 is rejected under 35 U.S.C. 102(a) as being anticipated by Spinellis ("Position-Annotated Photographs: A Geotemporal Web", published: June 2003, pages: 72-79).

With regards to claim 1, Spinellis teaches a method for generating a geographic travelogue of a trip, comprising: *obtaining content items associated with the trip* (Page 72: GTWeb homepage is used to collect content items such as photographs and location data), *the content items including any piece of information that is displayable on a computing device; geographically coding the content items to tag the content items with geographic locations associated with the trip to create geo-coded content items*

(Page 73: GTWeb indexes photographs using thumbprints and also annotates them with time and place);

Selecting a map of an area visited during the trip (page 73, page 74: whereas a trip map, leg map of an area visited are selected, and also shown in Fig. 4)

Automatically arranging the geo-coded content items on the selected map based on the geographic coding thereof, thereby generating the geographic travelogue (page 73: whereas the geo content items (which further includes place names of locations visited and track point data) are automatically arranged on the selected map as shown in Fig. 4).

With regards to claim 2, which depends on claim 1, Spinellis teaches a method further *wherein the step of selecting a map of an area visited during the trip comprises automatically selecting a map of an area visited during the trip based on the geographic locations associated with the trip* (page 74: whereas, "GTWeb allocates the photographs into different maps, and textually annotating them …").

With regards to claim 3, which depends on claim 2, Spinellis teaches a method further comprising *using a location resolver capable of converting between various location reference systems to resolve the geographic locations of the geo-coded content items* (page 75: whereas, location includes latitude-latitude, or geographical feature (whereas at track point is associated with the nearest geographical feature).

With regards to claim 4, which depends on claim 3, Spinellis teaches further comprising *converting the geographic locations of the geo-coded content items from a content item location reference system to map location reference system that is compatible with the selected map* (Figure 6: whereas, resolved geographic features of geo-coded content items are used for map generation/and thus compatible).

With regards to claim 5, which depends on claim 1, Spinellis teaches further comprising *using a clustering technique to cluster the geo-coded content items into clusters based on the geographic locations of the geo-coded content items* (page 75: whereas, clustering is implemented through proximity calculations)

With regards to claim 6, which depends on claim 5, Spinellis teaches further comprising *integrating each of the clusters of geo-coded content items into the geographic travelogue* (Figure 5: whereas, clusters of geo-code content items based on proximity is integrated in a geographic travelog.)

With regards to claim 7, which depends on claim 2, Spinellis teaches further comprising *selecting a size, a shape, and a type of the map based on the geographic locations of the geo-coded content items* (Figure 4: as shown map size, shape, and type is selected based on locations of geo-coded content items).

With regards to claim 8, which depends on claim 5, Spinellis teaches further comprising *generating additional content items relevant to the at least one of: (b) the clusters* (page 75: whereas a set of "visits" are generated based on nearest log points).

With regards to claim 9, which depends on claim 2, Spinellis teaches further comprising

Generating visual cues for at least some of the geo-coded content items; and displaying the visual cues for at least some of the geo-coded content items on the selected map (Figure 4: whereas, the visual cues are the annotated name and time of the locations visited as shown on the selected map).

With regards to claim 11, which depends on claim 1, Spinellis teaches further comprising: *defining tracks as a record of where a subject traveled during the trip over an interval of time* (Figure 3: whereas tracks are defined in a timeline), *the subject including at least one of: (a) a person* (page 75: whereas, "Annotated features refer to the time the user's track passed near them); *and automatically incorporating the tracks into the geographic travelogue such that the tracks are intelligently positioned within the geographic travelogue* (page 75: whereas, the tracks are intelligently positioned using geographical features, and positioned appropriately within the geographic travelogue as shown in Figures 3-5).

With regards to claim 12, for a computer readable medium performing a method similar to the method of claim 1, is rejected under similar rationale.

With regards to claim 13, Spinellis teaches a computer-readable medium containing instructions for *facilitating automated inclusion of maps and other geographical data into travelogues about a trip, comprising: tagging pieces of trip information, which are displayable in the travelogue, with their associated geographic locations from the trip to produce geo-coded content items*, as similarly explained in the rejection for claim 1; *automatically selecting sizes, shapes, and types of maps based on the geographic locations of the geo-coded content items*, as similarly explained in the rejection for claim 7; *and automatically arranging the geo-coded content items on the selected maps according to their tagged associated geographic locations to produce a geographic travelogue*, as similarly explained in the rejection for claim 1.

With regards to claim 14, which depends on claim 13, Spinellis teaches further comprising: *obtaining tracks of the trip, where tracks includes a record of where a subject traveled over a span of time; and automatically selecting sizes, shapes, and types of maps based on the tracks* (as similarly explained in Figures 3, and 4, and also in the rejection for claim 7).

With regards to claim 15, which depends on claim 13, Spinellis teaches *wherein the pieces of trip information include video* and also using video (page 78), *photographs, and blocks of text about the trip* (Figure 5)

With regards to claim 16, which depends on claim 13, Spinellis teaches *expressing geographic locations on the maps in a map location reference system* (as shown in Figure 4, geographic locations are expressed on a map); *expressing geographic locations associated with the geo-coded content items in a content item location reference system* (as shown in Figure 5, photographs associated with a particular location of a trip are located); *and converting the geo-coded content items from a geographic location expressed in the content item location reference system to the map location reference system* (as explained in page 74, GTWeb allocates the photos into different maps).

With regards to claim 17, which depends on 3, Spinellis teaches *further comprising generating clusters of geo-coded content items using a clustering technique based on the geographic locations* (as explained in page 75, a proximity/clustering technique is used to generate clusters of geo-coded content items based on geographic locations, as shown in Figure 5)

With regards to claim 18, which depends on claim 17, Spinellis teaches *wherein the clustering technique includes at least one of: (a) agglomerative clustering* (whereas,

as explained in page 75, an agglomerative clustering is used through proximity techniques, and a resulting cluster is shown in Figure 5)

With regards to claim 21, which depends on claim 17, Spinellis teaches *further comprising dividing the geographic travelogue in a plurality of separate geographic travelogues based on the clusters* (page 75, Figure 5: whereas, each of geographic travelogue generated is based on proximity oriented and time/temporal clustering at the time of a query).

With regards to claim 22, which depends on claim 17, Spinellis teaches *determining whether to exclude certain ones of the geo-coded content items from a cluster based on a comparison between the cluster and the remaining clusters* (a geographical feature cluster, and a coordinates cluster are used for comparison, such that a certain geo-coded content items from related to a cluster, is shown, such as in Figure 5); and *automatically giving a title to a cluster based on the geo-coded content items contained in the cluster* (as shown in Figure 5, a city title is assigned to a cluster of geo-coded content items in regional proximity).

With regards to claim 34, which depends on claim 14, Spinellis teaches further comprising *correlating the tracks with the geo-coded content items using visual cues that show a relationship between the geo-coded content items and their corresponding*

geographic locations (as explained in page 75, and Figure 5, geo-coded content items and displayed together with other geo-coded content items in relative proximity).

With regards to claim 36, which depends on claim 17, Spinellis teaches *analyzing the geographic locations of the clusters and geo-coded content items; and adding more content items to the geographic travelogue based on the analysis* (as explained in page 75: more content items are added for display based on geographical proximity analysis).

With regards to claim 37, Spinellis teaches an authoring system for authoring on a computing device a geographic travelogue of a trip, comprising: a storage medium having *a content item stored thereon, wherein the content item includes a piece of information associated with the trip that is displayable on the computing device* (as explained in the rejection for claim 1); *a geographic coding processor configured to code the content item with its associated geographic location from the trip to produce a geo-coded content item* (as explained in the rejection for claim 1); *a map selection processor configured to select a map that corresponds to the geographic location of the geo-coded content item* (as shown in Figure 5); *and a content item and map layout processor configured to automatically arrange the geo-coded content items on the selected map according to their associated geographic locations, thereby producing the geographic travelogue* (as similarly explained in the rejection for claim 1, and is rejected under similar rationale).

With regards to claim 38, Spinellis teaches a method further comprising: *Obtaining at least one previously geo-coded content item associated with the trip, the content item being selected from the group consisting of images, videos, audio clips, blocks of text, web page links, and any combinations thereof* (Figure 4: geo-coded content items/locations such as maps are associated with a trip and obtained/displayed as text and/or web links)*;* *Automatically selecting a map of an area visited during the trip based on a geographic location of the at least one previously geo-coded content item associated with the trip; and automatically arranging the at least one previously geo-coded content item on the selected map based on the geographic coding thereof* (pages 73, and 75: whereas a map is automatically selected based upon selection of a web link. The geo content items (which further includes place names of locations visited and/or annotations, and/or trackpoints) are used to automatically arrange track point data on the selected map as shown in Fig. 4)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 10, 23, 27-29, and 31 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Spinellis ("Position-Annotated Photographs: A Geotemporal Web",

published: June 2003, pages: 72-79) and Rothmuller (US Application: US 2003/0033296, published: Feb. 13, 2003, filed: Jul. 17, 2002).

With regards to claim 10, which depends on claim 1, Spinellis teaches *determining subjects of the trip, a subject including a person,* time, and location(s) *on the trip over an interval of time; and automatically integrating geo-coded content items from a subject into the geographic travelogue* (as explained in page 75, an individual is tracked/indexed for the trip, however, Spinellis doesn't explicitly teach determining subjects of the trip, the subjects including a person, objects, or a set thereof that *traveled together on the trip over an interval of time; and automatically integrating geo-coded content items from several subjects into the geographic travelogue*.
Rothmuller teaches determining subjects of the trip, the subjects including a person, objects, or a set thereof that *traveled together on the trip over an interval of time; and automatically integrating geo-coded content items from several subjects into the geographic travel/*photo-log (paragraph 0006: whereas, multiple individuals at a particular trip/location, can be searched for based upon individual names and time intervals (paragraph 0008)).
It would have been obvious to one of the ordinary skill in the art at the time of the invention to have modified Spinellis's subject/trip metadata, to have further included the ability to search/determine individuals that traveled together on a trip over a particular interval of time. The combination of Spinellis and Rothmuller et al would have allowed

Spinellis to have implemented a method for "users [to] store and retrieve digital photographs and photographic information" (Rothmuller et al, paragraph 0003).

With regards to claim 23, which depends on claim 22, Spinellis teaches wherein *determining whether to exclude certain ones of the geo-coded content items from a cluster* (page 75: whereas, geo-coded content items are excluded from a cluster if they are not within a desired proximity range). However, Spinellis does not expressly teach *a representative-item selection process that creates sub-clusters of items based on a similarity metric and selects a limited number of sub-clusters from each cluster*. Rothmuller et al teaches *a representative-item selection process that creates sub-clusters of items based on a similarity metric and selects a limited number of sub-clusters from each cluster* (Fig 1: whereas, a sub clusters such as best matches and close matches implemented, such that a limited number is selected).
It would have been obvious to one of the ordinary skill in the art at the time of the invention to have modified Spinellis's selection and exclusion of certain geo-coded items from a cluster, such that subclusters of items based on similarity for limited selection is implemented, as taught by Rothmuller. The combination of Spinellis and Rothmuller would have allowed Spinellis to have implemented a database search "for photos that match certain tags or groups of tags" (Rothmuller et al, paragraph 0026).

With regards to claim 27, which depends on claim 13, the combination of Spinellis and Rothmuller teaches identifying /searching for two or more subjects, in

conjunction with the same geographic location requirement, and thus, similarly teach *automatically identifying geographic intersections in the trip, where geographic intersections are geographic locations where two or more subjects have visited*, as similarly explained in the rejection for claim 10.

With regards to claim 28, which depends on claim 13, the combination of Spinellis and Rothmuller similarly teach *automatically identifying geographic and temporal intersections in the trip, where geographic and temporal intersections are geographic locations where two or more subjects visited at overlapping times*, as explained in the rejection for claim 10.

With regards to claim 29, which depends on claim 28, Spinellis further teaches comprising *creating a separate travelogue at an intersection of the geographic and temporal intersections, wherein content items of all subjects that geographic and temporal intersect are combined,* as similarly explained in the rejection for claim 21, and is rejected under similar rationale.

With regards to claim 31, which depends on claim 17, the combination of Spinellis and Rothmuller et al similarly teaches further comprising automatically selecting a special set of content items based on the clusters and subjects that were part of the trip, as explained in the rejection for claim 10, and is rejected under the same rationale.

8. Claims 19, 25-26, and 35 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Spinellis ("Position-Annotated Photographs: A Geotemporal Web", published: June 2003, pages: 72-79) and DeLorme et al (US Patent: 6,321,158 B1, issued: Nov. 20, 2001, filed Aug. 31, 1998).

With regards to claim 19, which depends on claim 17, Spinellis teaches *geo-coded content items*, as similarly explained in the rejection for claim 1. However, Spinellis does not expressly teach further comprising *simplifying an appearance of* the geo-coded content items *on a map by reducing a number of visual elements representing the geo-coded content items*.

DeLorme et al teaches *simplifying an appearance of* the geo-coded content items *on a map by reducing a number of visual elements representing the geo-coded content items* (Abstract: whereas, automatic zooming is implemented to increase or reduce the resolution of visual elements representing geo-coded content items).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to have modified Spinellis's geo-coded content items, such that they are implemented in a map with detail-based zoom features as taught by DeLorme et al. The combination of Spinellis and DeLorme et al would have allowed Spinellis to have implemented "map information content and levels of detail … at lesser/greater level of detail …" (DeLorme et al, column 4, lines 58-65)

With regards to claim 25, which depends on claim 23, Spinellis teaches *inserting visual cues in the geographic travelogue to show a relationship between the geo-coded content items and their corresponding geographic locations* (Figure 4: whereas, geo-content items include location based track points, and a track line is shown in the map providing a representative cue of relative journey path)

With regards to claim 26, which depends on claim 25, Spinellis teaches *wherein the visual cues include at least one of: (b) passive visual cues that are statically viewable in the geographic travelogue* (as shown in figure 4: a track line is viewable in the geographic travelogue).

With regards to claim 35, which depends on claim 14, Spinellis teaches *displaying tracks on maps*, as similarly explained in the rejection for claim 14. However, Spinellis does not expressly teach further comprising *dynamically* displaying the tracks on the maps *in an animated manner.*

DeLorme et al teaches *dynamically* displaying the tracks on the maps *in an animated manner* (column 5, lines 25-33: whereas current-position based tracking is implemented.).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to have modified Spinellis's display of tracks on maps, such that the mapping and tracking would have been updated dynamically, as taught by DeLorme et al. The combination of Spinellis and DeLorme et al would have allowed Spinellis to have

implemented a "communications dimension for [a] map reading system" (DeLorme, column 3, lines 52-55).

9. Claims 20 and 32 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Spinellis ("Position-Annotated Photographs: A Geotemporal Web", published: June 2003, pages: 72-79) and Holbrook (US Application: US 20050203918, published: Sep. 15, 2005, filed: May 16, 2005, EEFD: Nov. 15, 2001).

With regards to claim 20, which depends on claim 17, Spinellis teaches *travelogue pages based on clusters*, as similarly explained in the rejection for claim 6 (as well as subjects, as explained in the rejection for claim 10). However, Spinellis does not expressly teach the *creating a hierarchical organization of pages based on the clusters*.

Holbrook teaches *creating a hierarchical organization of pages based on the clusters* (paragraph 0068: whereas, pages/page content are organized hierarchically based on clustered data.)

It would have been obvious to one of the ordinary skill in the art at the time of the invention to have modified Spinellis's travelogue pages, which were compiled based upon clusters and subjects, to have further included creating a hierarchical organization of pages based on the clusters, as taught by Holbrook. The combination would have allowed Spinellis to have "concisely present relevant data to the user, … to efficiently evalutate and review the data [though] data organization' (Holbrook, paragraph 0015).

With regards to claim 32, which depends on claim 17, Spinellis teaches *clusters and subjects of the trip*, as similarly explained in the rejection for claim 10. However, Spinellis does not expressly teach, further comprising *performing multi-faceted hierarchical organization of pages of the geographic travelogue based on the clusters and subjects of the trip*.

Yet, the combination of Spinellis and Holbrook explained in the rejection for claim 20, teach *performing multi-faceted hierarchical organization of pages of the geographic travelogue based on the clusters and subjects of the trip*, as similarly explained in the rejection for claim 20, and is rejected under similar rationale.

10. Claim 30 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Spinellis ("Position-Annotated Photographs: A Geotemporal Web", published: June 2003, pages: 72-79) and Rothmuller et al (US Application: US 2003/0033296, published: Feb. 13, 2003, filed: Jul. 17, 2002), in further view of Te et al (US Patent: 6,785,864, issued: Aug. 31, 2004, filed: Dec. 1, 1999).

With regards to claim 30, which depends on claim 28, Spinellis teaches *geographic and temporal intersections* (page 75: whereas, results of track points having common boundary of time and geography, are recognized for being within a certain common ground/boundary). However, Spinellis does not expressly teach *marking the*

geographic and temporal intersections*, in other travelogues, and generating a link to other travelogues*.

Te et al teaches marking one or more user's web page that share the same/intersection hyperlink document being monitored, by generating a notification link for a user (Abstract).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to have modified Spinellis's processing of intersections for a travelogue, such that upon intersection, links are generated for one or more users, as taught by Te et al. The combination of Spinellis, Rothmuller et al, and Te et al would have allowed Spinellis to have "users benefit from a notification system that provided the ability to ... be electronically notified" (Te et al, column 1, lines 55-60).

11. Claim 33 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Spinellis (“Position-Annotated Photographs: A Geotemporal Web”, published: June 2003, pages: 72-79).

With regards to claim 33, which depends on claim 14, Spinellis teaches aligning and overlaying the tracks on the maps (Figure 4); However, Spinellis does not expressly teach *snapping the tracks onto known landmarks on the maps*.

Yet, Spinellis teaches snapping tracks to nearest geographical feature/landmark, (page 75: whereas, proximity to nearest geographical feature is calculated, and if close enough in proximity, a location is selected/snapped-to, and shown in Figure 5).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to have modified Spinellis's method for overlaying tracks on maps, such that the tracks are snapped to the nearest geographic feature, as also taught by Spinellis. The combination would have allowed Spinellis to have implemented selected a "track log point with the smallest Euclidean distance" (Spinellis, page 75).

Response to Arguments

12. Applicant's arguments filed 04/04/08 have been fully considered but they are not persuasive.

13. With regards to claim 1 and 13, the applicant first argues that "Spinellis does not teach automatically arranging geo-coded content items on the selected map based on the geographic coding thereof; [and rather] Spinellis teaches maps and geo-coded content item separately and further Fig. 4 of Spinellis merely illustrates that a map, which includes place names, may be time coded with the times at which those places were visited (Neither the place names nor the times are themselves ' geo-coded content items, as Spinellis does not teach that they are somehow associated with location metadata that indicates there is a relationship between the content item and a location". Yet, this argument is not persuasive, the times are each associated with location data, as explained in page 74 of Spinellis, the maps can be textually annotated based on the time assigned by the respective appliance to each track log point (the log point containing geographic coordinate data (page 75 of Spinellis: whereas coordinate pairs are used). The applicant further argues that "Spinellis makes clear that the place names

are encoded with time data, not the times encoded with location data". However, this argument is not persuasive as shown in the map, the time data is located in a particular *location* /coordinate on the selected map as shown in figure 4. Thus, in order to place the time data is geo-coded data as well in order to place the time data in the appropriate location of the selected map.

14. With regards to claim 2-9, 11, and 12, which depends on claim 1, and are thus allowable, for depending on an allowable claim; is not persuasive, since claim 1 has been shown/explained to be rejected.

15. With regards to claims 14-18, 21, 22, and 34 for depending claim 13, and are thus allowable, for depending on an allowable claim; is not persuasive, since claim 13 has been shown/explained to be rejected.

16. With regards to claims 10, 23, 27-29, and 31, claims 19, 25-26, and 35, claims 20 and 32, claim 30, and claim 33, being allowable, since they do not teach a particular limitation in claim 1; is not persuasive, since that particular limitation has been explained to be taught, as explained above.

Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILSON TSUI whose telephone number is (571)272-7596. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CESAR B PAULA/
Primary Examiner, Art Unit 2178

/Wilson Tsui/
Patent Examiner
Art Unit: 2178
May 07, 2008

Application Number	Application/Control No.	Applicant(s)/Patent under Reexamination	
	10/810,376	TOYAMA ET AL.	
	Examiner	Art Unit	
	WILSON TSUI	2178	